

Carmine P. Amelio and Alfonso Amelio

*Plaintiffs Pro Se*

32 Main Street

New Milford, CT 06776

Ph: 412-612-6774

Email: [cpamelio@gmail.com](mailto:cpamelio@gmail.com)

November 4, 2020

Honorable Andrew L. Carter  
United States District Court  
Southern District of New York  
40 Foley Square, Room 435  
New York, NY 10007  
[ALCarterNYSDChambers@nysd.uscourts.gov](mailto:ALCarterNYSDChambers@nysd.uscourts.gov)

RE: Carmine Amelio, et al, v. Quicken Loans, Inc., et al, Case No.: 1:19-cv-08761-ALC – Letter in Support of Plaintiff’s request to reopen this matter and request a further sixty (60) days extension of time to confirm proper and effectuated service of summons and complaint.

Dear Judge Carter,

This letter is to advise that Plaintiffs timely filed Affidavit of Service via the [Temporary\\_Pro\\_Se\\_Filing@nysd.uscourts.gov](mailto:Temporary_Pro_Se_Filing@nysd.uscourts.gov) link on October 5, 2020 (See Exhibit A), however, the pleading was never docketed by the Court Clerk and, subsequently, Plaintiffs’ case was dismissed on October 15, 2020. On October 3, 2020, Plaintiffs attempted to file their Second Amended Complaint, which was attached to Plaintiff’s July 7, 2020 response to order to show cause, but the Clerk indicated that it was incorrectly titled “First Amended Complaint.” The error was only on the title while the body was proper as the Second Amended Complaint, thus Plaintiffs corrected the title error and timely filed their Second Amended Complaint, received summons from the clerk and timely served the summons and complaint on October 5, 2020.

Plaintiffs are pro se and not trained in law, which outside of their full time occupations, require extensive time to research and prepare pleadings and the administration and other court matters.

Plaintiffs are not making this request in bad faith or for the purposes of delay and it will not harm or prejudice the Defendants’ case.

Plaintiffs would greatly appreciate for this Court to grant their request to reopen this matter and a further sixty (60) days extension of time to confirm proper and effectuated service of summons and complaint.

Respectfully submitted,

/s/ Carmine P. Amelio

Carmine P. Amelio, *Plaintiff Pro Se*

/s/ Alfonso Amelio

Alfonso Amelio

# EXHIBIT A



Carmine Amelio &lt;cpamelio@gmail.com&gt;

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**Case No.: 19-cv-8761, Affidavit of Service**

1 message

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**Carmine Amelio** <cpamelio@gmail.com>

Mon, Oct 5, 2020 at 5:27 PM

To: Temporary\_Pro\_Se\_Filing@nysd.uscourts.gov

Dear Clerk,

Please file the Affidavit of Service in the above matter.

Thank you,  
Carmine Amelio**AAcrotty-UDS-20201005-Affidavit of Service Second Amended Complaint.pdf**

191K

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Alfonso Amelio; and Carmine Amelio,

PLAINTIFF(S),

vs.

McCabe, Weisberg & Conway, P.C.;

Fein, Such & Crane LLP;

Seterus, Inc.;

Ocwen Loan Servicing, LLC;

OneWest Bank, N.A.;

Quicken Loans, Inc.;

Federal National Mortgage Association;

Concrete Properties, LLC; and

Sandelands Eyet LLP,

DEFENDANTS


CIVIL ACTION NO.: 1:19-CV-08761-ALC

*Civil Action*

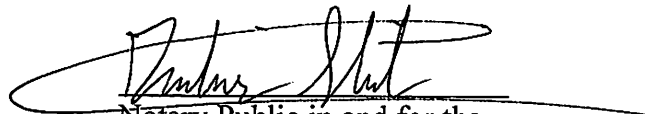
**SECOND AMENDED COMPLAINT  
JURY TRIAL DEMANDED**

**AFFIDAVIT OF SERVICE**

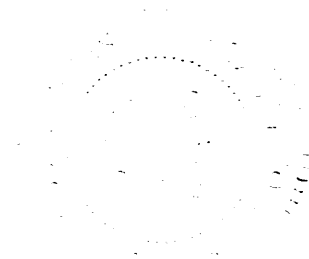
I, Paul Amelio, hereby certify that on October 5, 2020 a copy of, Summons and Second Amended Complaint, including the First Amended Complaint, the original Complaint, Order to Show Cause, Response to Order to Show Cause and Order Granting Extension of Time to serve the Summons and Complaint, was served by Certified Mail, Return Receipt, United States Postal Service to all interested parties on the attached list.

  
Paul Amelio

SWORN TO and SUBSCRIBED before me by Paul Amelio on October 5, 2020

  
Notary Public in and for the  
State of New York

DIMITRIOS SKRETAS  
Notary Public, State of New York  
No. 01SK6066331  
Qualified in Queens County  
Commission Expires November 13, 2021



**Attached Service List**

Via USPS Certified Mail, Return Receipt

McCabe, Weisberg & Conway, P.C.  
c/o Corporation Service Company, Registered Agent  
80 State Street  
Albany, New York 12207  
Certified Mail Receipt No.: 7019 0160 0000 4931 4609  
Return Receipt No.: 9590 9402 2424 6249 3540 01

Fein, Such & Crane LLP  
c/o Howard Crane  
28 E Main Street, Suite 1800  
Rochester, New York 14614  
Certified Mail Receipt No.: 7019 0160 0000 4931 4333  
Return Receipt No.: 9590 9402 2424 6249 3540 18

Seterus, Inc.  
c/o Corporation Trust Company, Registered Agent  
Corporation Trust Center  
1209 Orange Street,  
Wilmington, Delaware 19801  
Certified Mail Receipt No.: 7019 0160 0000 4931 4371  
Return Receipt No.: 9590 9402 2424 6249 3541 79

Ocwen Loan Servicing, LLC  
c/o Corporation Service Company, Registered Agent  
1201 Hays Street  
Tallahassee, FL 32301  
Certified Mail Receipt No.: 7019 0160 0000 4931 4364  
Return Receipt No.: 9590 9402 2424 6249 3541 86

OneWest Bank, N.A., division of CIT Group, Inc.  
c/o C T Corporation System, Registered Agent  
28 Liberty St.  
New York, New York 10005  
Certified Mail Receipt No.: 7019 0160 0000 4931 4357  
Return Receipt No.: 9590 9402 2424 6249 3541 93

Quicken Loans, Inc.  
c/o The Corporation Company, Registered Agent  
40600 Ann Arbor Rd E, Ste 201  
Plymouth, MI 48170  
Certified Mail Receipt No.: 7019 0160 0000 4931 4340  
Return Receipt No.: 9590 9402 2424 6249 3542 09

**Attached Service List, continued**

Via USPS Certified Mail, Return Receipt

Federal National Mortgage Association, Inc.  
c/o The Company Corporation, Registered Agent  
251 Little Falls Drive  
Wilmington, Delaware 19801  
Certified Mail Receipt No.: 7019 0160 0000 4931 4388  
Return Receipt No.: 9590 9402 2424 6249 3541 62

Concrete Properties, LLC  
c/o Department of State, Division of Corporations  
One Commerce Plaza, 99 Washington Ave  
Albany, NY 12231-0001  
Certified Mail Receipt No.: 7019 0160 0000 4931 4401  
Return Receipt No.: 9590 9402 2424 6249 3541 48

Sandelands Eyet LLP  
c/o Alina H. Eyet  
145 Pine Haven Shores Rd  
Shelburne, VT 05482  
Certified Mail Receipt No.: 7019 0160 0000 4931 4395  
Return Receipt No.: 9590 9402 2424 6249 3541 55